

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

COURTHOUSE NEWS SERVICE,

Plaintiffs,

v.

AMANDA TOSTE, et al.,

Defendants.

Case No. 1:21-cv-01790-ADA-SAB

ORDER ENTERING NOTICE OF
SETTLEMENT AS TO CERTAIN
DEFENDANTS

ORDER REQUIRING PARTIES TO FILE A
NOTICE OF DISMISSAL OR STATUS ON
OR BEFORE MARCH 17, 2023

(ECF No. 26)

This action was filed on December 17, 2021. (ECF No. 1.) The first amended complaint filed January 28, 2022, proceeds against six Defendants. (ECF Nos. 5, 19.) A scheduling conference is currently set for December 6, 2022. (ECF No. 25.) On October 18, 2022, a notice of settlement was filed indicating that the Plaintiff has reached settlement with five of the six Defendants: (1) Amanda Toste, in her official capacity as Court Executive Officer/Clerk of the Merced County Superior Court; (2) Shawn Landry, in his official capacity as Court Executive Officer/Clerk of the Yolo County Superior Court; (3) Stephanie Hansel, in her official capacity as Court Executive Officer/Clerk of the Sutter County Superior Court; (4) Heather Pugh, in her official capacity as Court Executive Officer/Clerk of the Yuba County Superior Court; and (5) Nocona Soboleski, in her official capacity as Court Executive Officer/Clerk of the Kings County Superior Court (collectively the “Settled Defendants”). (ECF No. 26.) The filing indicates that Plaintiff has not reached a settlement with one Defendant, Sharif Elmallah, in his official

1 capacity as Court Executive Officer/Clerk of the Butte County Superior Court. (Id.) Pursuant to
2 the terms of the parties' agreement, the Settled Defendants are to implement an electronic system
3 for the media to access court filings, with the system to be implemented at the latest by March 7,
4 2023, depending on the respective county.

5 Pursuant to Local Rule, the Court is required to fix a date for dispositional documents to
6 be filed within twenty-one (21) days, absent good cause shown to extend such time. L.R. 160(b).
7 Normally, once the terms of a settlement are reached, the Court does not keep a case open for an
8 extended period of time for the parties to implement the terms of a settlement prior to dismissal.
9 Nonetheless, given the various county Defendants, and given the case remains open as to one of
10 the county executive Defendants, the Court shall approve the notice of dismissal and relieve the
11 Settled Defendants of any requirements in this action, such as attending the December 6, 2022
12 scheduling conference. The obligation to attend the scheduling conference and any other
13 requirements and deadlines applicable to the Plaintiff and Defendant Sharif Elmallah remain in
14 effect.

15 Accordingly, IT IS HEREBY ORDERED that:

- 16 1. The notice of settlement as to the Settled Defendants is entered and the Settled
17 Defendants are relieved from pending dates and deadlines in this action; and
- 18 2. The Plaintiff and the Settled Defendants shall file dispositional documents or file
19 a status report **on or before March 17, 2023.**

20
21 IT IS SO ORDERED.

22 Dated: **October 19, 2022**


UNITED STATES MAGISTRATE JUDGE